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Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Western Sahara

Working paper prepared by the Secretariat

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I. General

1. A detailed account of the general conditions and developments relating to Western Sahara was provided in a previous working paper prepared by the Secretariat on the Territory (A/AC.109/1194).

2. The period under review witnessed an intensive effort to break the deadlock in the implementation of the settlement plan and there have been some positive developments, including the release of prisoners and detainees and contacts between the Government of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO).

II. Good offices of the Secretary-General

3. During the period under review, the Secretary-General presented four reports to the Security Council on the situation concerning Western Sahara (S/1996/674, S/1996/913, S/1997/166 and S/1997/358). These reports concentrated on efforts by the Secretary-General to overcome the impasse which prevented the implementation of the settlement plan.

4. In his report of 20 August 1996, the Secretary-General informed the Council that "the current deadlock can be broken and progress achieved only when both parties recognize that identification is a scrupulous process based on clear principles, and in the context of a broader agreement." The Secretary-General appealed to the two parties to demonstrate flexibility and to cooperate with his Acting Special Representative. The Secretary-General also appealed to "Member States that have influence to lend their support to the efforts of the United Nations". The Secretary-General expressed his satisfaction that the ceasefire was holding. (For further details see S/1996/674.)

5. In his report of 5 November 1996, the Secretary-General stated that, with the consent of the Security Council, considerable reductions in the size and functions of the United Nations Mission for the Referendum in Western Sahara (MINURSO) had been carried out. The Secretary-General also reported to the Council on the activities of his Acting Special Representative. In the same report, the Secretary-General welcomed the release by the Government of Morocco of 66 Frente POLISARIO prisoners of war in November 1996. The Secretary-General reported on the activities of the Independent Jurist for the release of political prisoners and also informed the Security Council that the Office of the United Nations High Commissioner for Refugees (UNHCR) continued to monitor the situation in the region. The Secretary-General urged all parties to contribute by taking further positive measures which could help improve the prospects of a lasting settlement, as well as to continue their cooperation with the Acting Special Representative. (For further details see S/1996/913.)

6. In an attempt to overcome the stalemate in implementing the settlement plan, the Secretary-General posed to the Security Council in his report of 27 February 1997 (S/1997/166) the following questions:

> "(a) Can the settlement plan be implemented in its present form?
>
> "(b) If not, are there adjustments to the settlement plan, acceptable to both parties, which would make it implementable?
>
> "(c) If not, are there other ways by which the international community could help the parties resolve their conflict?"

7. The Secretary-General conveyed in his report of 27 February 1997 to the Security Council (S/1997/166) his intention to intensify the examination of the question and to report to the Council before the expiry of the mandate of MINURSO on 31 May 1997.

8. The Secretary-General also stated that he was considering further reductions in the staffing of MINURSO. He moreover pointed out that the United Nations could not compel the parties to honour their commitment to cooperate in implementing the settlement plan. Without such cooperation, it would become increasingly difficult to justify continuing expenditure beyond the expiry of the current mandate (31 May 1997). The international community could not continue to spend its scarce resources on Western Sahara in the absence of any progress in the implementation of the plan that the two parties had freely accepted nine years ago. The Secretary-General considered it a critical moment for the Mission. Therefore he underlined that: "I can only hope that the parties do not fail to realize the serious implications for the future of MINURSO." The Secretary-General also informed the Council that his Acting Special Representative had continued to pursue the matters raised by the Independent Jurist, including a revised and annotated list of persons allegedly detained by Morocco which had been submitted by the Frente POLISARIO. Furthermore, the Secretary-General stated that the UNHCR office in Tindouf had become operational as of July 1996.

9. On 17 March 1997, the Secretary-General informed the Security Council of the appointment of his Personal Envoy to Western Sahara, stating that :

> "As indicated in my interim report of 27 February 1997 (S/1997/166) pursuant to [Security Council resolution 1084 (1996)], the impasse persists. I intend therefore to intensify the examination of all the questions blocking the implementation of the Settlement Plan. In this spirit and in accordance with paragraph 17 of my report, I have decided to appoint Mr. James Baker III as my Personal Envoy to help me assess the situation and to make recommendations to me. I hope that an exploratory visit can be undertaken to the region soon, in view of the time-frame of the current mandate of MINURSO." (S/1997/236)

10. This step was welcomed by the parties and Mr. James Baker visited the region from 23 to 28 April 1997. The Secretary-General in his report of 5 May 1997 (S/1997/358) informed the Security Council about Mr. Baker's visits to Morocco, Algeria and Mauritania where he was received by the Heads of State and other high officials, as well as to the Tindouf area where he met with the Secretary-General of the Frente POLISARIO as well as other officials.

11. In the same report, the Secretary-General informed the Council that the MINURSO strength was 228 and that it continued to monitor and verify the ceasefire. No violations were reported. The Secretary-General indicated that once his Personal Envoy completed his assessment of the situation, the strength of the military component of MINURSO would be reviewed (S/1997/358, para. 15).

12. The Secretary-General stated than an international UNHCR staff member had been appointed to Tindouf effective 15 February 1997 and that during the visit of his Personal Envoy to the Tindouf area, the Frente POLISARIO had presented to him a list of 85 prisoners of war whom it proposed to release (ibid., para. 17).

13. The Secretary-General also informed the Security Council that his Personal Envoy had stressed to the parties that he had come to make a fresh assessment of the situation and to discuss with all concerned ways of breaking the current stalemate. The Secretary-General added that Mr. Baker would return to the area in June 1997 after which he would report his findings and recommendations. He urged the parties to cooperate fully with his Personal Envoy. The Secretary-General also recommended an extension of MINURSO till 30 September 1997 (ibid., para. 22).

III. Consideration by the Security Council

14. The Security Council considered the reports of the Secretary-General (S/1996/343, S/1996/913, S/1997/166 and S/1997/358). Consistently supporting the Secretary-General in his efforts to find a solution to the impasse, the Council, *inter alia*, urged the parties concerned to demonstrate political will, cooperation and flexibility, and to consider additional ways to create confidence between themselves in order to remove obstacles to the implementation of the settlement plan. The Council took the following action:

15. On 29 May 1996, the Security Council adopted resolution 1056 (1996), the operative part of which reads:

> "1. *Reiterates* its commitment to the holding, as soon as possible, of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the Settlement Plan which has been accepted by the two parties referred to above;
>
> "2. *Deeply regrets* the fact that the required willingness does not exist to give MINURSO the cooperation needed for it to resume and complete the identification process, and that there has therefore been no significant progress towards implementation of the Settlement Plan;
>
> "3. *Agrees with* the recommendation of the Secretary-General that the identification process be suspended until such time as both parties provide concrete and convincing evidence that they are committed to resuming and completing it without further obstacles, in accordance with the Settlement Plan;
>
> "4. *Supports* the proposal of the Secretary-General to reduce the strength of the military component of MINURSO by 20 per cent, on the understanding that this will not impair its operational effectiveness in monitoring the ceasefire;
>
> "5. *Endorses* the view of the Secretary-General that the decision to suspend temporarily the work of the Identification Commission and to reduce the number of civilian police and military personnel does not imply any lessening of resolve to secure the implementation of the Settlement Plan;
>
> "6. *Supports* the proposal of the Secretary-General, in the context of the Settlement Plan, to maintain a political office to continue the dialogue

with the parties and the two neighbouring countries and to facilitate any other effort that could help set the parties on a course towards an agreed formula for the resolution of their differences, and encourages the Secretary-General to consider ways of strengthening the role of this office;

"7. *Urges* the two parties to demonstrate without further delay the political will, cooperation and flexibility necessary to permit the resumption and early completion of the identification process and the implementation of the Settlement Plan, notes with satisfaction that the parties have respected the ceasefire, which is an integral part of the Settlement Plan, and calls upon them to continue to do so;

"8. *Also calls upon* the parties, as a demonstration of good will, to cooperate with the United Nations in the implementation of certain aspects of the Settlement Plan, such as the release of Saharan political prisoners and the exchange of prisoners of war on humanitarian grounds, as soon as possible, to accelerate implementation of the Settlement Plan in its entirety;

"9. *Encourages* the parties to consider additional ways to create confidence between themselves in order to remove obstacles to implementation of the Settlement Plan;

"10. *Decides* to extend the mandate of MINURSO, on the basis proposed by the Secretary-General in his report of 8 May 1996, until 30 November 1996;

"11. *Reminds* the parties that if significant progress is not achieved during this period, the Security Council will have to consider other measures, including possible further reductions in the strength of MINURSO, but stresses its readiness to support the resumption of the identification process as soon as the parties have demonstrated the necessary political will, cooperation and flexibility, as called for in paragraph 7 above;

"12. *Requests* the Secretary-General to continue his efforts with the parties to break the impasse blocking the implementation of the Settlement Plan, and to submit a report to the Security Council by 31 August 1996 on the outcome of his efforts;

"13. *Also requests* the Secretary-General to keep the Security Council closely informed of all significant developments, including their humanitarian aspects, and to submit a comprehensive report on the implementation of this resolution by 10 November 1996;

"14. *Decides* to remain seized of the matter."

16. On 27 November 1996, the Security Council adopted resolution 1084 (1996), the operative part of which reads as follows:

"1. *Reiterates* its commitment to the holding, as soon as possible, of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the Settlement Plan;

"2. *Supports* the activities of the Acting Special Representative in continuing the dialogue with the parties and the two neighbouring countries and in facilitating, in the context of the Settlement Plan, other efforts to set the parties on a course towards an agreed formula for the resolution of their differences, and requests that those activities be accelerated and that the parties continue to cooperate with the Acting Special Representative;

"3. *Notes* the beneficial effect of demonstrations of goodwill and of all contacts aimed at achieving the implementation of the Settlement Plan;

"4. *Welcomes* the steps taken by the parties to demonstrate goodwill, including the release of prisoners, and the recent indications that the parties are moving forward in their efforts to resolve outstanding questions concerning the implementation of the Settlement Plan, and encourages them to pursue these efforts so as to build confidence between themselves and to facilitate the implementation of the Settlement Plan;

"5. *Welcomes also* the ongoing activities of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the cooperation afforded to it by the parties, and encourages UNHCR to pursue its humanitarian work and assistance in accordance with its mandate and the Settlement Plan;

"6. *Decides* to extend the mandate of MINURSO, on the basis proposed by the Secretary-General in his report of 5 November 1996, until 31 May 1997;

"7. *Requests* the Secretary-General to continue his efforts with the parties to break the impasse blocking the implementation of the Settlement Plan,

and to submit an interim report to the Security Council by 28 February 1997 on the outcome of his efforts;

"8. *Also requests* that in his next report the Secretary-General propose alternative steps, in the framework of the Settlement Plan, should there be no meaningful progress towards removing the obstacles to the implementation of the Plan;

"9. *Further requests* the Secretary-General to continue to keep the staffing size and configuration of the various components of MINURSO under active review in order to ensure maximum efficiency and effectiveness, and to include in his next report ways to achieve this aim;

"10. *Also requests* the Secretary-General to keep the Security Council closely informed of all significant developments, including their humanitarian aspects, and to submit a comprehensive report on the implementation of this resolution by 9 May 1997;

"11. *Decides* to remain seized of the matter."

17. The Security Council considered the report of the Secretary-General of 27 February 1997 (S/1997/166). Subsequently, the President of the Security Council on 19 March 1997 made a statement (S/PRST/1997/16) on behalf of the Council welcoming the report of the Secretary-General and expressed the Council's disappointment at the lack of progress on the implementation of the Plan for the settlement of the question of Western Sahara. The Council concurred with the Secretary-General's assessment that it was essential to maintain the ceasefire and that the presence of MINURSO had been essential in helping the parties to maintain their commitment to the ceasefire. The Council expressed its strong support for the Secretary-General's efforts to overcome the current stalemate in implementing the settlement plan and in this context it welcomed the appointment by the Secretary-General of a Personal Envoy to the region and urged the parties to cooperate fully with him.

18. On 22 May 1997, the Security Council adopted resolution 1108 (1997), the operative part of which reads:

"1. *Reiterates* its commitment to the holding, without further delay, of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the Settlement Plan, which has been accepted by the parties;

"2. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 September 1997;

"3. *Urges* the parties to continue to cooperate with the Personal Envoy of the Secretary-General in his mission as outlined by the Secretary-General, and to demonstrate the political will to overcome the persisting stalemate, and find an acceptable solution;

"4. *Requests* the Secretary-General to keep the Security Council informed of progress in the situation and to submit to the Council, by 15 September 1997, a comprehensive report on the results of his evaluation of all aspects of the Western Sahara issue;

"5. Decides to remain seized of the matter."

IV. The Secretary-General's Personal Envoy's visit to the region

19. The Secretary-General's Personal Envoy, Mr. James Baker, was well received by the States and parties concerned in the region. The international media paid close attention to the visit of Mr. Baker (23-28 April 1997), his statements and the reactions of the parties concerned. Mr. Baker indicated that the visit was aimed at having a fresh assessment of the situation.

20. Mr. Baker had an audience with King Hassan II. He also met with the Prime Minister and Minister for Foreign Affairs and Cooperation, the Permanent Representative of Morocco to the United Nations, the Minister for the Interior and other government officials.

21. Mr. Baker had an audience with the President of Algeria and met with the Prime Minister. The Minister for Foreign Affairs, the Permanent Representative of Algeria to the United Nations and other senior government officials of Algeria attended a meeting with Mr. Baker and his delegation. Mr. Baker also visited Mauritania and had an audience with the President and met with the Prime Minister, the Minister for Foreign Affairs and the Permanent Representative of Mauritania to the United Nations. While in Algeria, Mr. Baker visited Tindouf. Mr. Baker met with Mr. Mohammed Abdelaziz, the Secretary-General of Frente POLISARIO, and its representatives in New York and Washington, D.C.

22. In explaining the fact-finding nature of his mission, Mr. Baker stressed the political and economic importance of the resolution of this question. He stated that :

"If there could be a solution to this problem, there could be not just economic benefits for the region and for the parties involved, but political

benefits as well". (*Agence France-Presse*, 22 April 1997)

V. Political and other developments

23. In a letter dated 10 March 1997 to the President of the Security Council (S/1997/208), the Permanent Representative of Morocco stated that :

"Morocco considers it regrettable that the 27 February 1997 report (S/1997/166) limits itself to stating that the identification process stalled late in 1995, without mentioning the main reason for that situation, which was described clearly in the report submitted to the Security Council on 24 November 1995 (S/1995/986).

"The fact is that, according to paragraph 2 of the earlier report, 'the basic obstacle to continuing and completing the identification process relates to certain tribal groups and to persons not resident in the Territory, in whose identification the Frente Polisario para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) does not agree to participate and, in many instances, has no sheikh, or alternate, to propose.'

"To reflect that fact, future reports should recall why the identification process stalled, so as to make clear what responsibility should be attributed to each side.

"In his latest report, the Secretary-General also states that the 'conditions posed by the two sides for further identification are incompatible' (S/1997/166, para. 4).

"The Kingdom of Morocco has done its utmost to help bring the referendum process to an early conclusion and has always cooperated unreservedly. It has never posed any conditions for the continuation or resumption of the identification process and it would be unfair to accuse it of having done so.

"Morocco's position, which is to defend the right of any person to take part in the referendum process who can prove that he or she belongs to Western Sahara, coincides fully with that of the United Nations, as reflected in many of the Secretary-General's reports, including that of 24 November 1995 which states that 'the United Nations Mission for the Referendum in Western Sahara (MINURSO) had an obligation to consider all applications which had been correctly submitted' (S/1995/986, para. 3).

"The other party is opposed to that right and has made its participation in the identification process subject to two conditions which are contrary to the spirit and the letter of the settlement plan.

"That party is trying to restrict the right of Saharans to participate in the referendum by limiting that right to persons whose names appear in the Spanish census of 1974, a census whose omissions and flaws have been acknowledged by all forums, including the 1990 conference of tribal leaders.

"That party has also posed the condition that the lists of persons found eligible to vote by the Identification Commission should be made available. This is contrary to the provisions of the settlement plan, which stipulates clearly that such lists should be made available only at the end of the identification process and after they have been approved by the Secretary-General.

"Paragraph 4 of the report of 27 February 1997 states that the number of persons identified by the time the identification process stalled 'corresponds to the number of persons estimated to have survived since 1974, when the Spanish colonial authorities conducted a census indicating that 73,497 Saharans resided in the Territory.'

"Linking these figures could create misunderstandings. The Identification Commission has, in fact, received a certain number of applications, 233,487 of which have been processed (176,533 in the Territory on the Moroccan side, 42,468 in the camps at Tindouf and 14,486 in Mauritania), as can be seen from the Secretary-General's report of 24 November 1995 (S/1995/986). Other applications have still to be processed.

"...

"The Kingdom of Morocco has affirmed repeatedly its attachment to full implementation of the settlement plan. It considers that the drafting of the plan was a long and arduous process and that altering it, which would necessarily entail altering all the implementing measures adopted by the different organs involved in the process, could prove to be an even longer and more complex process.

"While Morocco remains committed to the settlement plan, the other party is doing its utmost to

delay the referendum process and even prevent it from taking place.

"Morocco has called repeatedly on the Security Council to fulfil its responsibilities by forcing the recalcitrant party to abide by the settlement plan, which was the outcome of intense negotiations and considerable effort. It would like to reiterate that call, so that the international community might take the necessary action and thereby end the suffering endured daily by fellow Moroccans in the camps at Tindouf.

"Morocco considers that the international community, as represented by the Security Council, endorsed a plan for the settlement of the question of Western Sahara and that it should take the necessary action to impose its wishes, by ensuring the resumption and completion of the referendum process."

24. In a letter dated 7 April 1997 addressed to the Chairman of the Special Committee, the Frente POLISARIO provided its views on the impasse in the implementation of the settlement plan as follows:

"The suspension of the self-determination referendum is a severe blow to the peaceful solution the United Nations has been calling for for 30 years. As the Secretary-General said in his report in May 1996 (S/1996/343), the United Nations cannot abandon its responsibility in Western Sahara and towards the right of the Sahrawi people to self-determination and independence.

"The Polisario Front has made a sincere contribution to the efforts deployed by the United Nations and the Organization of African Unity (OAU), and is prepared to continue contributing so that the spectre of war is replaced by the hope of a just and definitive peace. In this context, a ceasefire with no prospect for the transparent and credible application of the peace plan is perhaps the optimum scenario for Morocco, as the occupying colonial Power, but it is not a solution which is acceptable either to the Sahrawi people or to the United Nations, in that it would mean the perpetuation of a *fait colonial* under the protection of the Blue Helmets. And that, sooner or later, would lead to an outbreak of armed conflict.

"In the circumstances, the Polisario Front frankly sees no other means of overcoming this dangerous impasse than a process of direct, serious and responsible negotiations between the two parties, under United Nations auspices, to remove the obstacles to a credible and transparent implementation of the peace plan.

"It is in this conviction that the Polisario Front wishes to continue and step up the direct dialogue initiated with the Moroccan Government in September 1996, in the confidence that the Government of Morocco will understand this dialogue not as a means of maintaining the status quo but as a means of enabling the two parties, together with the United Nations and OAU, to overcome the impasse and move towards the smooth and full implementation of the peace plan. For that to be the case, the two parties need the active involvement and resolve of the United Nations and OAU in order to avoid this dialogue being presented later on as a formal concession so as to avoid going into the substance and blame the other party and the United Nations for the failure or futility of the direct dialogue route, which for the time being is Morocco's strategy.

"The Polisario Front does not wish to underestimate the real or imagined difficulties. Nevertheless, certain things need to be made clear. On the one hand, Western Sahara was never Moroccan territory. The Advisory Opinion of the International Court of Justice is unequivocal on this point. In the second place, Morocco does not need territory, still less territory conquered by force. Morocco is perhaps interested in the riches of Western Sahara. If that is the case there are ways of attaining them, more civilized ways, through cooperation in the context of mutual respect for the sovereignty of each people. The Sahrawi Republic is prepared to contribute in every way it can to building a united and prosperous Maghreb in which all of its components will one day erase frontiers and live in the common Maghrebian home.

"The decisions to be adopted by the Security Council on the basis of Mr. Baker's recommendations will have their impact on the course of events. The Polisario Front seriously trusts that they will make a decisive contribution to the advent of a just and definitive peace."

25. As indicated above, the Governments in the region and the Frente POLISARIO welcomed the appointment of the Secretary-General's Special Envoy, Mr. James Baker III. In a letter dated 11 March 1997 addressed to the Secretary-General (S/1997/234, annex), the Prime Minister and Minister for Foreign Affairs of Morocco stated:

"First of all, I should like to express my profound gratitude for your interest in this matter and for your laudable efforts to overcome the obstacles to implementation of the settlement plan.

"In this connection, I should like to assure you once again of the support of the Kingdom of Morocco, its full cooperation and its readiness to spare no effort to ensure that your action is successful. In this context, my country welcomes your initiative and commends your choice of Mr. James Baker III."

26. The Frente POLISARIO in its letter dated 7 April 1997 (see para. 24) considered that the appointment of the Personal Envoy of the Secretary-General, Mr. James Baker, constituted "a positive step". It also stated that:

"The peace process which should have led in 1992 to the organization of a self-determination referendum for the Sahrawi people has, since the end of last year, been in a severe impasse which clouds the prospects for a just and lasting solution to the long colonial conflict in Western Sahara.

"The appointment of the former Secretary of State of the United States of America, Mr. James Baker, as the Special Envoy of the Secretary-General of the United Nations for Western Sahara constitutes a positive step which is interpreted as reflecting a high degree of interest on the part of Mr. Kofi Annan in attempting to unblock the long impasse.

"At this crucial juncture for the future of the peace process, and bearing in mind the importance of the case of Western Sahara for the Special Committee of 24, it is useful to engage in a detailed examination of the course of the conflict in its international aspect, and in particular in terms of the different phases through which the plan has passed until the present situation was reached."

27. The Commission of Human Rights approved, without a vote, on 26 March 1997 a resolution on the question of Western Sahara which expressed the Commission's serious concern about persistent obstacles to the implementation of the settlement plan agreed to and declared the Commission's conviction of the importance and usefulness of direct contacts between the two parties, with a view to overcoming their differences and creating conditions for the speedy and effective implementation of the settlement plan (HR/CN/781).

VI. Consideration by the General Assembly

28. At the fifty-first session of the General Assembly, reference was made to the question of Western Sahara by a number of representatives during their statements in the general debate. During its consideration of the question of Western Sahara the Assembly had before it, *inter alia*, the report of the Secretary-General (A/51/428), submitted in accordance with General Assembly resolution 50/36 of 6 December 1995. That report reviewed the action taken by the Secretary-General, in close cooperation with the Organization of African Unity, in the exercise of his good offices with the parties concerned, as well as the activities of his Acting Special Representative, his consultations with the parties concerned and the reports presented by the Secretary-General to the Security Council containing an analysis of the obstacles which had led to the discontinuation of the identification process.

29. At its 2nd meeting, on 1 October 1996, the General Assembly's Special Political and Decolonization Committee (Fourth Committee) decided to hold a general debate covering agenda item 19, entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", including, *inter alia*, the question of Western Sahara.

30. The Fourth Committee considered item 19, including, *inter alia*, the question of Western Sahara at its 2nd to 5th, 8th and 20th meetings, on 1, 7, 9, 10 and 28 October and 22 November 1996 (see A/AC.4/51/SR.2-5, 8 and 20). The general debate and the hearing of petitioners of the items referred to above, including item 19, took place at the 2nd to 5th, and 8th meetings, on 1, 7, 9, 10 and 28 October.

31. The Committee heard nine petitioners on the question of Western Sahara (A/C.4/51/5 and Add.1-8), at its 3rd and 5th meeting, on 7 and 10 October (for further details see A/C.4/51/SR.3 and 5).

32. Also, at the 3rd meeting of the Committee on 7 October 1996, the representative of Morocco made a statement in connection with the hearing of petitioners on the question of Western Sahara (for full details see A/C.4/51/SR.3 and 5).

33. At the same meeting, the representative of Frente POLISARIO made a statement on the question of Western Sahara (for further details see A/C.4/51/SR.5).

34. At the 5th meeting of the Committee, on 10 October, the representative of Algeria made a statement on the

question of Western Sahara (for further details see A/C.4/51/SR.5).

35. On the recommendation of the Special Political and Decolonization Committee (Fourth Committee), the General Assembly adopted on 13 December 1996, without a vote, resolution 51/143 on the question of Western Sahara. The operative part of the resolution reads as follows:

"1. *Takes note* of the report of the Secretary-General;

"2. *Reiterates its support* for further efforts of the Secretary-General for the organization and supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in conformity with Security Council resolutions 658 (1990) and 690 (1991), by which the Council approved the settlement plan for Western Sahara;

"3. *Reaffirms* that the goal on which all were agreed consists of the holding of a free, fair and impartial referendum for the people of Western Sahara, organized and conducted by the United Nations in cooperation with the Organization of African Unity and without any military or administrative constraints, in conformity with the settlement plan;

"4. *Expresses its serious concern* about the persistence of obstacles to the implementation of the settlement plan;

"5. *Takes note* of Security Council resolution 1056 (1996), by which the Council decided to suspend the identification process and to reduce the military component of the United Nations Mission for the Referendum in Western Sahara owing to the absence of progress in the implementation of the settlement plan;

"6. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan, and in this regard fully subscribes to the commitment of the Security Council and the Secretary-General concerning the fulfilment of their respective mandates, consisting of the holding of a free, fair and impartial referendum for self-determination of the people of Western Sahara;

"7. *Declares its conviction* of the importance and usefulness of direct contacts between the two parties with a view to overcoming their differences and creating propitious conditions for a speedy and effective implementation of the settlement plan, and encourages in this regard the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to start direct talks as soon as possible;

"8. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the ongoing referendum process, and to report thereon to the General Assembly at its fifty-second session;

"9. *Invites* the Secretary-General to submit to the General Assembly at its fifty-second session a report on the implementation of the present resolution."